### **Presently Pending Claims**

Language to be added has been **bolded and underlined**, while language to be deleted has been **bolded and striken-through**.

- 1-20. (Canceled)
- 21. (Currently amended) A compound represented by the structural formula !

$$R^{1}$$
 $R^{1}$ 
 $R^{1}$ 
 $R^{10}$ 
 $R^{10}$ 
 $R^{10}$ 
 $R^{10}$ 
 $R^{3}$ 

or a pharmaceutically acceptable salt or solvate thereof; wherein:

R<sup>1</sup> is

R<sup>2</sup> is selected from the group consisting of H, alkyl, aryl, arylalkyl, heteroarylalkyl, alkylketone, arylketone, alkyl, haloalkyl, cycloalkyl, cycloalkyl, alkylsulfonyl, arylsulfonyl, alkoxyalkyl, or amide:

R<sup>3</sup> is selected from the group consisting of **aryl**, 6-membered heteroaryl, **fluorenyl**; and **diphenylmethyl**, 6-membered heteroaryl-N-oxide,

**6-**membered heteroaryl <u>or heteroaryl-N-oxide</u> <u>is pyrimidine or pyrimidine-N-oxide respectively, each of which</u> is optionally substituted with 1-4 substituents which can be the same or different and are independently selected from the group consisting of R<sup>11</sup>, R<sup>12</sup>, R<sup>13</sup>, R<sup>14</sup> and R<sup>15</sup>;

 $R^4$  is 1-3 substituents selected from the group consisting of H, halo, alkyl, haloalkyl, alkoxy, cycloalkyl, amide,  $CF_3$ ,  $OCF_3$ , aryl, heteroaryl,  $-XR^7$ , -CN,  $-CO_2H$ ,  $-CO_2R^{22}$ ,  $R^8$ -aryl( $C_1$ - $C_6$ )alkyl-,  $R^8$ -heteroaryl( $C_1$ - $C_6$ )alkyl-,  $-C(O)NR^{21}R^{22}$ ,  $-C(O)NH_2$ , wherein  $R^4$  can be the same or different and is independently selected when there is more than one  $R^4$  present;

 $R^{5} \text{ is selected from the group consisting of H, arylalkyl, } (C_{4}\text{-}C_{6})\text{alkyl, } R^{8}\text{-}$   $\text{aryl}(C_{4}\text{-}C_{6})\text{alkyl-, } R^{8}\text{-}\text{heteroaryl}(C_{4}\text{-}C_{6})\text{alkyl-, } -SO_{2}\text{-}(C_{4}\text{-}C_{6})\text{alkyl, } -SO_{2}\text{-}(C_{3}\text{-}C_{6})\text{cycloalkyl, } -SO_{2}\text{-}\text{aryl-}SO_{2}\text{-, } -C(O)\text{-}(C_{4}\text{-}C_{6})\text{alkyl, } -C(O)\text{-}(C_{4}\text{-}C_{6})\text{cycloalkyl, } \\ R^{8}\text{-}\text{aryl-}C(O)\text{-, } -C(O)NR^{21}R^{22}\text{, } \text{and } -SO_{2}NR^{21}R^{22}\text{;}$ 

## R<sup>6</sup> is H, -(C<sub>1</sub>-C<sub>6</sub>)alkyl, or -(C<sub>1</sub>-C<sub>6</sub>)haloalkyl;

R<sup>7</sup> is selected from the group consisting of aryl, substituted aryl, heteroaryl, alkyl, haloalkyl and cycloalkyl;

 $R^8$  is 1, 2 or 3 substituents selected from the group consisting of H, halo, (C1-C6)alkyl, (C1-C6)alkoxy, -CF3, -OCF3, CH3C(O)-, -CN, CH3SO2-,

CF<sub>3</sub>SO<sub>2</sub>- and -NH<sub>2</sub>, wherein R<sup>8</sup> can be the same or different and is independently selected when there are more than one R<sup>8</sup> present;

 $R^9$ ,  $R^{10}$  and B can be the same or different and are each independently selected from the group consisting of hydrogen, ( $C_1$ - $C_6$ )alkyl, and -( $C_1$ - $C_6$ )haloalkyl;

 $R^{11}$  and  $R^{12}$  can be the same or different and are each independently selected from the group consisting of (C<sub>1</sub>-C<sub>6</sub>)alkyl, -(C<sub>1</sub>-C<sub>6</sub>)haloalkyl, halogen, -NR<sup>19</sup>R<sup>20</sup>, -OH, CF<sub>3</sub>, -OCH<sub>3</sub>, -O-acyl, and -OCF<sub>3</sub>;

 $R^{13}$  is selected from the group consisting of hydrogen,  $R^{11}$ , H, phenyl, -NO<sub>2</sub>, -CN, -CH<sub>2</sub>F, -CHF<sub>2</sub>, -CHO, -CH=NOR<sup>19</sup>R<sub>19</sub>, pyridyl-N-oxide, pyrimidinyl, pyrazinyl, N(R<sup>20</sup>R<sub>20</sub>)CONR<sup>20</sup>R<sup>21</sup>R<sub>20</sub>R<sub>21</sub>, -NHCONH(chloro-(C<sub>1</sub>-C<sub>6</sub>)alkyl), -NHCONH((C<sub>3</sub>-C<sub>10</sub>)-cycloalkyl(C<sub>1</sub>-C<sub>6</sub>)alkyl), -NHCO(C<sub>1</sub>-C<sub>6</sub>)alkyl, -NHCOCF<sub>3</sub>, -NHCOCF<sub>3</sub>, -NHSO<sub>2</sub>N((C<sub>1</sub>-C<sub>6</sub>)alkyl)<sub>2</sub>, -NHSO<sub>2</sub>(C<sub>1</sub>-C<sub>6</sub>)alkyl, -N(SO<sub>2</sub>CF<sub>3</sub>)<sub>2</sub>, -NHCO<sub>2</sub>(C<sub>1</sub>-C<sub>6</sub>)alkyl, (C<sub>3</sub>-C<sub>10</sub>)cycloalkyl, -SR<sup>22</sup>, -SOR<sup>22</sup>, -SO<sub>2</sub>R<sup>22</sup>, -SO<sub>2</sub>NH(C<sub>1</sub>-C<sub>6</sub> alkyl), -OSO<sub>2</sub>(C<sub>1</sub>-C<sub>6</sub>)alkyl, -OSO<sub>2</sub>CF<sub>3</sub>, hydroxy(C<sub>1</sub>-C<sub>6</sub>)alkyl, -CONR<sup>19</sup>R<sup>20</sup>, -CON(CH<sub>2</sub>CH<sub>2</sub>-O-CH<sub>3</sub>)<sub>2</sub>, -OCONH(C<sub>1</sub>-C<sub>6</sub>)alkyl, -CO<sub>2</sub>R<sup>19</sup>R<sub>19</sub>, -Si(CH<sub>3</sub>)<sub>3</sub> and -B(OC(CH<sub>3</sub>)<sub>2</sub>)<sub>2</sub>;

 $R^{14}$  is selected from the group consisting of  $(C_1-C_6)$ alkyl,  $-(C_1-C_6)$ haloalkyl -NH<sub>2</sub> and  $R^{15}$ -phenyl;

 $R^{15}$  is 1-3 substituents selected from the group consisting of hydrogen, (C<sub>1</sub>-C<sub>6</sub>)alkyl, -(C<sub>1</sub>-C<sub>6</sub>)haloalkyl, -CF<sub>3</sub>, -CO<sub>2</sub>R<sup>20</sup>, -CN, (C<sub>1</sub>-C<sub>6</sub>)alkoxy and halogen; wherein

R<sup>15</sup> can be the same or different and is independently selected when there are more than one R<sup>15</sup> present;

R<sup>16</sup> and R<sup>17</sup> can each be the same or different and are each independently selected from the group consisting of hydrogen and (C<sub>1</sub>-C<sub>6</sub>)alkyl, or

R<sup>16</sup> and R<sup>17</sup> together are a C<sub>2</sub>-C<sub>5</sub> alkylene group and with the carbon to which they are attached from a spire ring of 3 to 6 carbon atoms:

 $R^{19}$ ,  $R^{20}$  and  $R^{21}$  can each be the same or different and are each independently selected from the group consisting of H,  $(C_1-C_6)$ alkyl and  $(C_3-C_6)$ cycloalkyl;

 $R^{22}$  is selected from the group consisting of  $(C_1-C_6)$ alkyl,  $-(C_1-C_6)$ haloalkyl,  $(C_2-C_6)$ hydroxyalkyl,  $(C_2-C_6)$ alkylene,  $(C_3-C_6)$ cycloalkyl, aryl and aryl $(C_1-C_6)$ alkyl-;

A is selected from the group consisting of H,  $(C_1-C_6)$  alkyl, and  $(C_2-C_6)$  alkenyl. M is aryl or heteroaryl optionally substituted with  $R^4$ ;

#### Q is CH or N; and

X is selected from the group consisting of CH<sub>2</sub>, SO<sub>2</sub>, SO, S, and O, with the following proviso:

when  $R^1$  is phenyl, pyridyl, thiophenyl or naphthyl,  $R^2$  cannot be H, -(C<sub>1</sub>-C<sub>6</sub>)alkyl or -C(O)-(C<sub>1</sub>-C<sub>6</sub>)alkyl.

22. (Currently amended) A compound having the structural formula I according to claim 21 or a pharmaceutically acceptable salt or solvate thereof, wherein R<sup>9</sup>, R<sup>10</sup> and B are H, A is -CH<sub>3</sub>, and R<sup>1</sup>, R<sup>2</sup> and R<sup>3</sup> are as defined in the following table:

#	R	R <sup>2</sup>	R <sup>3</sup>
8	Br		N N
9	744		N N N
10	CF <sub>3</sub>		N N

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11	CF <sub>3</sub> O	N N
12	CI	N N
13	CF <sub>3</sub> N	N N
14	F	N N
15	CF <sub>3</sub> O	N+O.
16	CF <sub>3</sub> N	, , , O.
17	Br	Z Z
18	Z-7-7-7-7-7-7-7-7-7-7-7-7-7-7-7-7-7-7-7	N N N
19	Br Br	N N
20	CF <sub>3</sub>	N N
21	7	N N

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22	This is a second of the second	N N
23		N N
24	OCF <sub>3</sub>	N N
25	F	N N
26	CI	N N
27	F CI	N N
28	Br CH <sub>3</sub>	Z Z
29	MeO CI	N N
<del>30</del>	Br CH <sub>3</sub>	N
31	F Zi	N N N
32	Cl Zi	N N N

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33	OMe	N N
34	F <sub>3</sub> C	ZZZ
35	CI CF <sub>3</sub>	N N N N N N N N N N N N N N N N N N N
36	F F	N N
37	MeO	N N
38	Br CF <sub>3</sub>	N N
39	CH₃	N N
40	EtO	N N
41	Et	N N N N N N N N N N N N N N N N N N N
42	F	N N N
43	PhO	N
44	CZ CZ	N N N N N N N N N N N N N N N N N N N

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46	N N N Bn	Attorney Docke
50	MeSO <sub>2</sub>	N N N
51	CI	N N
<del>52</del>	Br N	-1-7-7-7-7-7-7-7-7-7-7-7-7-7-7-7-7-7-7-
53	, z	N N
58	\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1
59	HO <sub>2</sub> C	Z Z Z
60	HO <sub>2</sub> C	N N N N N N N N N N N N N N N N N N N
61	H <sub>2</sub> N Zi	N
62		N
63		N
65	N N N N N N N N N N N N N N N N N N N	N N

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66	N N		N N N
67	HO N		Z Z
68			N N
69	CF <sub>3</sub> N		N N
70	F <sub>3</sub> CO		N
71	Br N		N N
72			N N
73	CI		N
74			N N
<b>75</b>		(CH <sub>2</sub> ) <sub>2</sub>	N
76	F <sub>3</sub> C N		N
77	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		N N

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78	CINN		N N N
79	F		N N
80		N	N N
8-1-	F <sub>3</sub> CO		N+O
82	CF <sub>3</sub> N		, , , O, , , O, ,
83	F <sub>3</sub> C N		N+·O
84		Z S	N+·O
<del>85</del>	Br Zi		N+·O·
86		N.	N
87	Br Br		N

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	<del></del>	<del></del>	Attorney Docke
88	Br	N N	N N
89	Br Zi	N N N N N N N N N N N N N N N N N N N	N N
90		N N N N N N N N N N N N N N N N N N N	N N
91	MeO CI		N N
92	CI		N N
93	F Tri		N N
94	OMe		N N
95	Br CF <sub>3</sub>		ZZZ N
96	CH <sub>3</sub>		N
97	Br	N	N N
98	Br		N
99	EtO		N N

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F	<del></del>		Attorney Docke
100	Et Li		N N
101	F F		N N
102	MeO		N N
103	Br		N N
104	F		N
105	PhO		N N
106			,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
107	The state of the s		N
108	N N		N
109	N N		, , , , , , , , , , , , , , , , , , ,
110	Z		N
111	CIN	CH₃	N

Serial No. 10/629,466 Attorney Docket No. IN01481KB (Currently amended) A compound according to claim 22 wherein  $\mathbb{R}^1$ ,  $\mathbb{R}^2$ and R<sup>3</sup> each represent:

<b></b> #	R <sup>1</sup>	R <sup>2</sup>	R <sup>3</sup>
9			N
10	CF <sub>3</sub>		N N
11	CF <sub>3</sub> O		Z Z Z
12	CI		Z_Z
13	CF <sub>3</sub> N		, , , , , , N
14	F		N N
16	CF <sub>3</sub> N		N+-O
17	Br		N N
28	Br CH <sub>3</sub>		Z Z Z
29	MeO CI		N

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31	F		Z Z Z
36	F F		Z Z
37	MeO		Z Z
39	CH <sub>3</sub>		N N
40	EtO		N N
50	MeSO <sub>2</sub>		N N
61	H <sub>2</sub> N		N N
68			N
<del>69</del>	CF <sub>3</sub> N		N N
<del>70</del>	F <sub>3</sub> CO		N N
71	Br N		N N
80		N	N N N N N N N N N N N N N N N N N N N

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81	F <sub>3</sub> CO		N+.O
82	CF <sub>3</sub> N		N+·O·
90		Z	N N N
91	MeO CI		N N
93	μ. - μ.		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
96	CH <sub>3</sub>		N
99	EtO		N N
100	Et Tri		N N
101	F Zi		N N
102	MeO		N N

24. (Currently amended) A compound according to claim 23 represented by the structural formulae:

# <u>and</u>

### or a pharmaceutically acceptable salt or solvate thereof.

- 25. (Currently amended) A pharmaceutical composition comprising one or more compounds of claim 21 or a pharmaceutically acceptable salt or solvate thereof.
- 26. (Currently amended) A pharmaceutical composition comprising one or more compounds of claim 24 or a pharmaceutically acceptable salt or solvate thereof.
- 27. (Previously presented) The pharmaceutical composition according to claim 25 further comprising one or more pharmaceutically acceptable carriers.
- 28. (Previously presented) The pharmaceutical composition according to claim 26 further comprising one or more pharmaceutically acceptable carriers.

- 29. (Currently amended) The pharmaceutical composition according to claim 25, wherein said pharmaceutical composition contains a therapeutically effective amount of said one or more compounds or a pharmaceutically acceptable salt or solvate thereof.
- 30. (Currently amended) The pharmaceutical composition according to claim 26, wherein said pharmaceutical composition contains a therapeutically effective amount of said one or more compounds <u>or a pharmaceutically acceptable salt or solvate thereof</u>.

31-40. (canceled)